UNITED
STATES
SIGNALS
INTELLIGENCE
DIRECTIVE

USSID SP0018J

(formerly USSID 18J)

(U//FOUO) PROCEDURES FOR MONITORING RADIO COMMUNICATIONS OF SUSPECTED INTERNATIONAL NARCOTICS TRAFFICKERS

OPC: The Signals Intelligence Directorate's Office of Oversight and Compliance

24 April 1986

LETTER OF PROMULGATION

(S//SI) This Annex implements Section 2.3. and Section 2.6.(b) of Executive Order 12333, Section 372 and Section 374 of Title 10, United States Code, and special Attorney General procedures. It regulates certain COMINT activities of the United States Signals Intelligence System which are directed against radio communications of suspected international narcotics traffickers. SIGINT activities directed against international narcotics traffickers or trafficking activities that are not within the purview of this Annex are regulated by the basic USSID.

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(U//FOUO) This is the initial issue of this USSID SP0018, Annex J (formerly USSID 18, Annex J).

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(U//FOUO) This USSID is not releasable to any Third Party partner. If a shareable version of this USSID is needed (see USSID SP0002, Annex B (formerly USSID 2, Annex B)), please contact the appropriate Country Desk Officer in the Foreign Affairs Directorate.

THE EXECUTIVE AGENT:

/s/
WILLIAM E. ODOM
Lieutenant General, USA
Director, NSA/Chief, CSS

TABLE OF CONTENTS

SECTION 1 - (U) PURPOSE AND SCOPE

1.1. (S//SI) This Annex implements Section 2.3., and Section 2.6.(b) of Executive Order 12333, Section 372, and Section 374 of Title 10, United States Code, and special Attorney General procedures. It regulates certain COMINT activities of the **United States SIGINT System (USSS)** which are directed against radio communications of suspected international narcotics traffickers. Nothing contained in this Annex affects the basic authority of the USSS to collect and disseminate foreign intelligence regarding aspects of international narcotics trafficking activities, including [redacted] other than those activities expressly addressed herein. SIGINT activities directed against international narcotics traffickers or trafficking activities that are not within the purview of this Annex are regulated by the basic USSID.

1.2. (U//FOUO) The provisions of this Annex will be implemented only upon specific instruction from DIRNSA/CHSS or his designee.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)
(b)(3)-18 USC 798

SECTION 2 - (U) DEFINITIONS

2.1. (S//SI) The following definitions apply to this Annex only. Unless contradicted or otherwise supplemented by these definitions, the definitions contained in Section 3 of the basic USSID SP0018 (formerly USSID 18) also apply to this Annex.

a. (S//SI) **International Narcotics Trafficker:** Any person engaged in buying, selling, manufacturing (to include any step in the process from cultivation to refining), or transporting controlled substances, as defined by the Attorney General, where such activities cross international boundaries.

b. (S//SI) [redacted]

c. (S//SI) [redacted]

[redacted]

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)
(b)(3)-18 USC 798

d. ~~(S//SI)~~ **Wire Communications:** Any communication carried in whole or part by wire, cable or other like connection furnished or operated by any person engaged as a common carrier in providing or operating such facilities for the transmission of interstate or foreign communications. Wire communications enjoy a reasonable expectation of privacy. The USSS may intentionally intercept communications of a U.S. person under circumstances where there is a reasonable expectation of privacy of such communications, only with prior authorization of the Attorney General, an order of the Foreign Intelligence Surveillance Court, or prior consent of the U.S. person. Thus, [redacted] under this Annex.

e. ~~(S//SI)~~ **United States:** When used in a geographic sense, the term, "United States," means all areas under the territorial sovereignty of the United States.

f. ~~(S//SI)~~ **Territorial Limits:** The waters and airspace adjacent to the Unites States, its territories and possessions, to a distance of twelve miles from the coastline. A communicant whose location has not otherwise been determined will be deemed a communicant outside the territorial limits unless the nature of the communications or other elements in the content or circumstances of the communications give rise to a reasonable belief that the communicant is located inside the territorial limits of the United States.

SECTION 3 - (U) COLLECTION

3.1. ~~(S//SI)~~ The USSS is authorized to intercept and to perform direction finding against the radio communications of persons, including U.S. persons, whom the USSS reasonably suspects to be engaged in international narcotics trafficking activities when:

a. ~~(S//SI)~~ All communicants are located outside the United States and its territorial limits and either:

(1) ~~(S//SI)~~ There exists a reasonable basis for belief that not all communicants are U.S. persons; or,

(2) ~~(S//SI)~~ At least one of the communicants is [redacted] and the communications are expected to contain information concerning [redacted] illicit narcotics.

b. ~~(S//SI)~~ All communicants are located inside the United States and its territorial limits and:

(1) ~~(S//SI)~~ At least one of the communicants is [redacted] which is [redacted]

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)
(b)(3)-18 USC 798

(2) ~~(S//SI)~~ The communicants are reasonably suspected to be engaged in narcotics trafficking activities at the time of interception; and,

(3) ~~(S//SI)~~ Collection is solely for the purpose of acquiring information related to [redacted] illicit narcotics shipments.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)
(b)(3)-18 USC 798

c. ~~(S//SI)~~ Some communicants are located inside, and others located outside, the United States and either:

(1) ~~(S//SI)~~ The communicant to be targeted is located outside the territorial limits; or,

(2) ~~(S//SI)~~ The communicant to be targeted is located [redacted] within the territorial limits, but beyond the coastline of the United States.

3.2. ~~(C)~~ [redacted]

3.3. ~~(C)~~ Collection authorized under sub-paragraph 3.1.a. and subparagraph 3.1.c. (but not that authorized under sub-paragraph 3.1.b.) may be performed in support of the NSA foreign intelligence mission in response to foreign intelligence requirements approved by the Director of Central Intelligence.

SECTION 4 - (U) RETENTION

4.1. ~~(S//SI)~~ Information obtained in the course of the collection authorized under paragraph 3.1. that identifies U.S. persons, or communications obtained in the course of collection authorized under sub-paragraph 3.1.b. and subparagraph 3.1.c., that are solely between U.S. persons, may be retained no longer than one year from the date of intercept unless:

a. ~~(S//SI)~~ The SIGINT Director approves a longer retention period to support technical data bases;

b. ~~(S//SI)~~ The information is disseminated in accordance with Section 5, in which case retention is authorized for whatever period is deemed necessary to satisfy analytic requirements;

c. ~~(S//SI)~~ The communications from which the information is derived are encrypted, or are reasonably believed to contain a secret meaning, in which case retention for an indefinite period is authorized; or,

d. ~~(S//SI)~~ [redacted]

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)
(b)(3)-18 USC 798

4.2. ~~(S//SI)~~ Communications solely between U.S. persons acquired under subparagraph 3.1.a. (but not under subparagraph 3.1.b. and subparagraph 3.1.c.), shall be disposed of upon recognition, except that:

a. ~~(S//SI)~~ Technical data concerning frequency and channel use (example: callsigns, broadcast schedules, signal characteristics, etc.) may be retained for collection avoidance purposes; and,

b. ~~(S//SI)~~ Information concerning [redacted] illicit narcotics shipments may be retained in accordance with paragraph 4.1., when at least one communicant is [redacted]

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)
(b)(3)-18 USC 798

SECTION 5 - (U) DISSEMINATION

5.1. ~~(S//SI)~~ Dissemination of information of, or concerning, U.S. persons, derived from collection under subparagraph 3.1.a., is governed by Section 8 of the basic USSID, except that:

a. ~~(S//SI)~~ Information concerning [redacted] illicit narcotics shipments may be disseminated to appropriate federal law enforcement agencies when:

(1) ~~(S//SI)~~ Not all communicants are U.S. persons; or,

(2) ~~(S//SI)~~ All communicants are U.S. persons, and at least one communicant is [redacted]

b. ~~(S//SI)~~ Technical data concerning frequency and channel use may be disseminated to appropriate federal law enforcement agencies regardless of whether the communicants are U.S. persons or not.

5.2. ~~(S//SI)~~ Dissemination of information derived from collection under subparagraph 3.1.b. may be made only to appropriate federal law enforcement agencies, and only when the information relates to [redacted] illicit narcotics shipments. Technical data concerning frequency and channel use may be disseminated to appropriate law enforcement agencies even when the underlying communications do not contain information on [redacted] illicit narcotics shipments.

5.3. ~~(S//SI)~~ Dissemination of information concerning U.S. persons, derived from collection performed under subparagraph 3.1.c., may be made when:

a. ~~(S//SI)~~ The information is derived from monitoring communicants located outside the U.S. territorial limits:

(1) ~~(S//SI)~~ To appropriate federal law enforcement agencies when the information concerns [redacted] illicit narcotics shipments; or,

(2) ~~(S//SI)~~ In accordance with Section 8 of the basic USSID, when there exists a reasonable belief that not all communicants are U.S. persons.

b. ~~(S//SI)~~ The information is derived from monitoring communicants located inside U.S. territorial limits:

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)
(b)(3)-18 USC 798

(1) (S//SI) Only to appropriate federal law enforcement agencies; and

(2) (S//SI) Only insofar as the information relates to [redacted] illicit narcotics shipments.

c. (S//SI) Technical data concerning frequency and channel use, and direction finding results, derived from any communication monitored under subparagraph 3.1.c. may be disseminated to appropriate law enforcement agencies.

5.4. (U//FOUO) Information collected under subparagraph 3.1.a and subparagraph 3.1.c. may be disseminated to appropriate federal authorities when no information of, concerning, U.S. persons is involved.

5.5. (S//SI) Access to technical data bases will be restricted to SIGINT collection and analytic personnel. Requests for access from other personnel or entities shall be referred to the SIGINT Director, except that technical data concerning frequency and channel use, and direction finding results, derived from collection performed under Section 3, may be disseminated to appropriate federal law enforcement agencies without specific SIGINT Director approval.

5.6. (C//SI) Information revealing a threat to human life or physical safety may be disseminated by field elements to appropriate federal authorities without prior review by the SIGINT Director. On the other hand, dissemination of such information by NSA Headquarters' elements requires prior approval of the SIGINT Director. The **National Security Operations Center (NSOC)**, **Senior Operations Officer (SOO)**, is authorized to approve dissemination after normal duty hours or in time-sensitive situations.

5.7. (C//SI) Information derived from intercepted communications, solely between U.S. persons, which does not relate to [redacted] illicit narcotics, but which reveals significant foreign intelligence or counterintelligence affecting substantial national security interests, may be disseminated to appropriate federal authorities, if approved by DIRNSA.

SECTION 6 - (U) IDENTIFICATION OF U.S. PERSONS

6.1. (C) Field elements may provide the identities of U.S. persons to federal authorities when the information relates to a threat to human life or physical safety without prior case-by-case approval of the SIGINT Director.

6.2. (C//SI) In all other cases, identification of U.S. persons in information disseminated outside the SIGINT system requires approval of the SIGINT Director. After normal duty hours or in time-sensitive situations the NSOC SOO is authorized to act for the SIGINT Director.

Proceed To:
NSA | Director | SIGINT | SIGINT Staff | SIGINT Policy | USSID Index

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